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JUL 13 1992

**DIVISION OF
OIL GAS & MINING**

**Moab District
San Juan Resource Area
P.O. Box 7
Monticello, Utah 84535**

**SJ-89-06
U-069**

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED
Certification No.: P 120 288 460**

DECISION

Mr. Glen A. Shumway	:	
941 N. 400 W. (39-4)	:	Joker #1 Lode Claim
Blanding, Utah 84511	:	

Notice of Noncompliance

On June 29, 1992 a compliance inspection was done at your small mining operation on the Joker #1 Mining Claim in Bradford Canyon. The underground mine workings were found accessible to the general public; thereby creating a safety hazard. The portal gate is not adequate to stop entry into the mine. Access can be gained through the opening between the top of the gate and the mine portal. Additionally, the site is not being maintained in a clean manner. The area contains scattered trash and miscellaneous old used mining supplies, including: hose; ventilation curtains and pipe; old mine timbers; battery; (2) five-gallon cans containing oil substance.

On August 16, 1991, Mr. Kelly Shumway was contacted by telephone and notified of the situation at the mine site. Mr. Shumway agreed to clean-up the site and secure the portal to prevent easy access into the mine by the public. To this date the work has not been done. Therefore, you continue to be in violation of 43 C.F.R. 3809.3-7. This regulation requires all operators to maintain the site in a safe and clean condition during any non-operating periods.

You are hereby required to complete the necessary work, as originally agreed, within 30 days of receipt of this notice. Failure to comply with these requirements will constitute the establishment of a record of noncompliance. This will require the submission of a plan of operations for any future activity that could normally be conducted under a notice; and, bonding in the amount of 100 percent of estimated reclamation costs for all activities in excess of casual use.

We will continue to monitor your operation to document any corrective actions you take. You must also notify the San Juan Resource Area office when requirements of this notice are met.

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You have the right to appeal to the Utah State Director, Bureau of Land Management, in accordance with 43 C.F.R. 3809.4. If you exercise this right, your appeal, accompanied by a statement of reasons and any arguments you wish to present, which would justify reversal or modification of the decision, must be filed in writing at this office within 30 days after the date of this decision. This decision will remain in effect during appeal unless a written request for a stay is granted.

EDWARD H. SCHERICK

Area Manager

cc:

Minerals West

Mr. Holland Shepherd, DOGM

Utah State Office (U-921)

Moab District Office (U-065)

TMcDougall:md 7/8/92 "A:GLEN.NON" (delete)